

MINIMUM FILING FEE: \$100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For assistance on forms required, see
booklet "How to file an Application to
Appropriate Water in California")

R30972 San / ...
working copy

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300. FAX: (916) 341-5400. Web: <http://www.waterrights.ca.gov>

APPLICATION TO APPROPRIATE WATER

APPLICATION No. 31468
(Leave Blank)

1. APPLICANT

RMC PACIFIC MATERIALS (Name of applicant) (925) 426-8787
6601 Koll Center Parkway (Telephone - between 8 a.m. and 5 p.m.)
Pleasanton, CA 94566
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

- a. The name of the source at the point of diversion is (1) San Vicente Creek
(2) Mill Creek (3) Unnamed Creek
(If unnamed, state that it is an unnamed stream, spring, etc.)
tributary to (1) Pacific Ocean (2) San Vicente Creek, then Pacific Ocean (3) Pacific Ocean
- b. In a normal year does the stream dry up at any point downstream from your project? YES ☐ NO ☒
If yes, during what months is it usually dry? From _____ to _____
What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? _____

3. POINTS of DIVERSION and REDIVERSION

- a. The point(s) of diversion will be in the County of Santa Cruz
and within Assessor's Parcel Number (APN #) (1) 063-011-01
(2) 063-071-04
(3) 063-071-04

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
(1) N206, 638 ft, E1, 504, 532 ft.	SE ¼ of SW ¼	15	10S	3W	MDBM
(2) N201, 462 ft, E1, 515, 103 ft.	SE ¼ of SW ¼	23	10S	3W	
(3) N193, 450 ft, E1, 505, 300 ft.	NW ¼ of SE ¼	33	10S	3W	

- c. Does applicant own the land at the point of diversion? YES ☒ NO ☐
- d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: _____

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

9/22/03
\$100.00
DC

4. PURPOSE of USE, AMOUNT and SEASON

- a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Fish and wildlife preservation, including endangered red-legged frog. Also emergency fire fighting supply.					14.9	Jan. 1	Dec. 31

- b. Total combined amount taken by direct diversion and storage during any one year will be 14.9 acre-feet.

5. JUSTIFICATION of AMOUNT

- a. IRRIGATION: Maximum area to be irrigated in any one year is _____ acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date

- b. DOMESTIC: Number of residences to be served is _____. Separately owned? YES ☐ NO ☐
 Total number of people to be served is _____. Estimated daily use per person is _____ (Gallons per day)
 Total area of domestic lawns and gardens is _____ square feet.
 Incidental domestic uses are _____
 (Dust control area, number and kind of domestic animals, etc.)

- c. STOCKWATERING: Kind of stock _____ Maximum number _____
 Describe type of operation: _____
 (Feed lot, dairy, range, etc.)

- d. RECREATIONAL: Type of recreation: Fishing ☐ Swimming ☐ Boating ☐ Other ☐

- e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present						

Month of maximum use during year is _____. Month of minimum use during year is _____.

- f. HEAT CONTROL: The total area to be heat protected is _____ net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The heat protection season will begin about _____ and end about _____.
 (Date) (Date)
- g. FROST PROTECTION: The total area to be frost protected is _____ net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The frost protection season will begin about _____ and end about _____.
 (Date) (Date)
- h. INDUSTRIAL: Type of industry is _____
 Basis for determination of amount of water needed is _____
- i. MINING: The name of the claim is _____ Patented ☐ Unpatented ☐
 The nature of the mine is _____ Mineral to be mined is _____
 Type of milling or processing is _____
 After use, the water will be discharged into _____
 (Name of stream)
 in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M.
 (40-acre subdivision)
- j. POWER: The total fall to be utilized is _____ feet. The maximum amount of water to be used through the penstock
 is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated
 by the works is _____. Electrical capacity is _____ kilowatts at _____ % efficiency.
 (Cubic feet per second x fall ÷ 8.8) (Hp x 0.746 ÷ efficiency)
 After use, the water will be discharged into _____
 (Name of stream)
 in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M. FERC No. _____
 (40-acre subdivision)
- k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☒ NO ☐ If yes, list
 specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information
 form APP-ENV.
- l. OTHER: Describe use: Emergency fire use. Basis for determination of amount of water needed
 is insufficient domestic flowage in the event of major fire.

6. PLACE OF USE

- a. Does applicant own the land where the water will be used? YES ☒ NO ☐ Is land in joint YES ☐ NO ☐
 (All joint owners should include their names as applicants and sign the application.) ownership?
 If applicant does not own land where the water will be used, give name and address of owner, and state what
 arrangements have been made with the owner. _____

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION <u>Projected</u>	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
NW ¼ of SE ¼	33	105	3W	Mt. Diablo		
¼ of ¼						
¼ of ¼						
¼ of ¼						
¼ of ¼						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

USGS
Project
map

7. DIVERSION WORKS

- a. Diversion will be by gravity by means of 2 pipes and unobstructed channel.
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from _____ Pump discharge rate _____ Horsepower _____
(Depth of the well _____) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	- or -	
		See attachment 7C				

- d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
<u>Westlow Pond</u>	<u>62</u>	<u>earth</u>	<u>120</u>	<u>28</u>	<u>18</u>	<u>14.9</u>	<u>20</u>
		See attachment 7D					

- e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)				
Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
36	770	62	28	14.9
See attachment 7E				

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 0.25 cfs. Diversion to offstream storage will be made by: ☐ Pumping ☒ Gravity

* See attachment 7F

8. COMPLETION SCHEDULE

Pre-existing storage facility

- a. Year work will start _____ b. Year work will be completed _____
- c. Year water will be used to the full extent intended _____ d. If completed, year of first use _____

9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Davenport 95017
Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES ☐ NO ☒
If yes, state name of the subdivision _____
If no, is subdivision of these lands contemplated? YES ☐ NO ☒
Is it planned to individually meter each service connection? YES ☐ NO ☒ If yes, when? _____
- b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: None known
- c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain _____

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☒ NO ☐
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
Pre-1914 58351	1905	Industrial 1.00 cfs	All year	San Vicente	Sec 3. b. 58357
58350				Mill Creek	58351
		(accompanying)		Tracy, CA	58352

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

Daniel F Gallery, A Professional Corporation (916) 444-2880
(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

926 J Street Suite 505 Sacramento, CA 95814-2786
(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated September 19, 2003 at Pleasanton, California

Mr. Mr.
~~Miss. Mrs.~~

[Signature]
(Signature of applicant)

(If there is more than one owner of the project,
please indicate their relationship.)

Ms. Mr.
Miss. Mrs.

(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

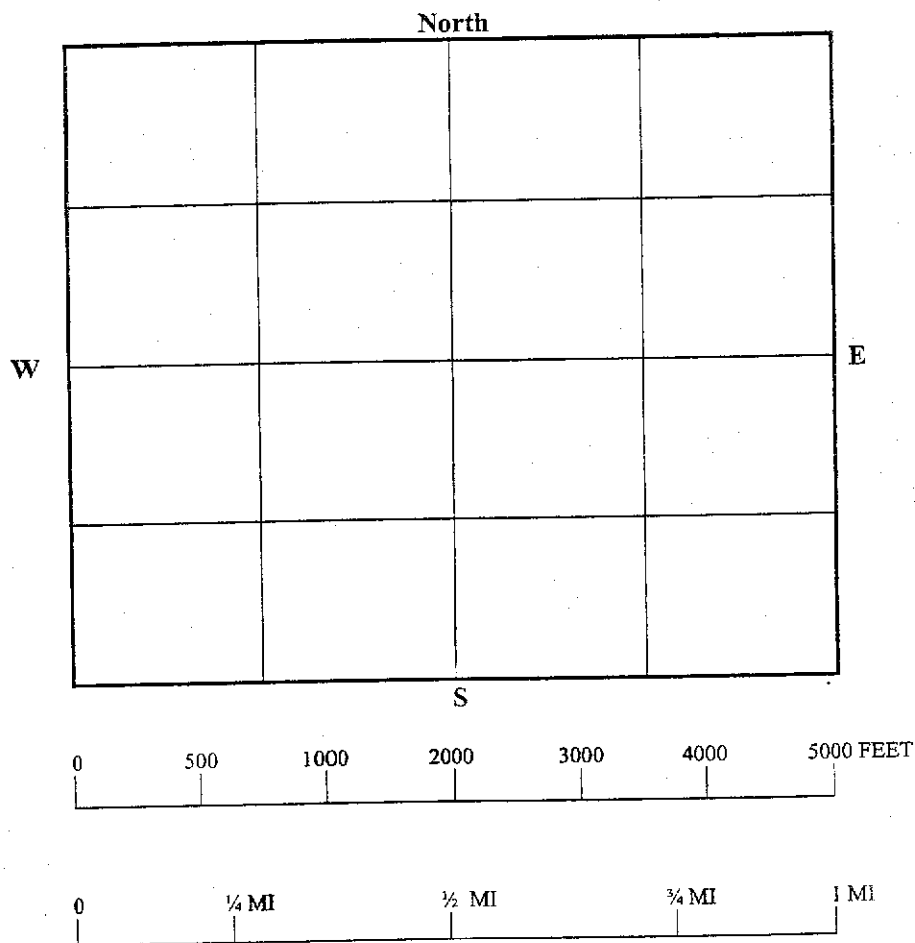
NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

13. MAP (See attached)

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP _____ RANGE _____, _____ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

APPLICATION TO APPROPRIATE WATER

Additional information

Section

7. c. Conduit from diversion point to first lateral or to off stream storage reservoir:

San Vicente Diversion

The San Vicente Diversion Works are located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, T10S, R3W. Water is conveyed from the existing San Vicente diversion works through a six-inch diameter High Density Polyethylene (HDPE) pipe. Some sections of the pipe have been buried. The total pipe length is 4.2 miles and terminates at a receiving box (the sandbox) at the RMC Pacific Materials Davenport Cement Plant (the Plant). The elevation drop from the San Vicente diversion works to the sandbox is approximately 480 feet. The capacity of this diversion pipe is greater than what will ultimately be diverted to the Overflow Pond. This is due to the fact that water from this pipe is first used to satisfy Applicant's pre-1914 water right for cement manufacturing. The remaining water, which flows to the Overflow Pond, is only the water that due to the inherent fluctuations in the normal process of cement manufacturing flows past the plant and that will be used to maintain habitat for wildlife, including the endangered California red-legged frog (*Rana aurora draytonii*).

Mill Creek Diversion

The Mill Creek Diversion Works are located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, T10S, R3W. Water is conveyed from the existing diversion works through a six-inch diameter High Density Polyethylene (HDPE) pipe. Some sections of the pipe have been buried. This pipe is separate from that of the San Vicente Diversion, although the two pipes lay side by side for about three quarters of their run. The total pipe length is 3.5 miles and terminates at the same receiving box (the sandbox) as the San Vicente Diversion pipe at the Plant. The elevation drop from the Mill Creek diversion works to the sandbox is approximately 300 feet. The capacity of this diversion pipe is greater than what will ultimately be diverted to the Overflow Pond. This is due to the fact that water from this pipe is first used to satisfy Applicant's pre-1914 water right for cement manufacturing. The remaining water, which flows to the Overflow Pond, is only the water that due to the inherent fluctuations in the normal process of cement manufacturing flows past the plant and that will be used to maintain habitat for wildlife, including the endangered California red-legged frog (*Rana aurora draytonii*).

Unnamed stream

The unnamed stream is a small seasonal stream in the canyon immediately above the Overflow Pond. During the wet season, water from this stream flows directly into the north end (upstream) end of the pond. No estimated have been made of the flow rate of this stream.

Description of flow from the sandbox to the Overflow Pond.

Water from the San Vicente and Mill creeks are collected in the sandbox at the Plant. The sandbox is an above-ground concrete stilling box used to drop out sand and sediment from the raw water. The County of Santa Cruz, Special Utilities District #1 (County water for the unincorporated town of Davenport) takes water from the sandbox via a four-inch diameter pipe, which goes directly to their treatment works. Water spills from the sandbox into the Plant storage reservoir. Water for Plant use and for fire suppression are taken from the reservoir through separate pipes. Any excess water not used by the Plant spills into an open ditch and flows into the Overflow Pond.

7. d. Storage Reservoirs:

Dam

Name of reservoir: Overflow Pond

Vertical height from downstream toe to spillway level (ft): 62

Construction Material: Earthen

Dam length (ft): 120

Freeboard Dam height above Outlet Pipe (ft): 28

Reservoir

Approximate surface area when full (acres): 1.8

Approximate capacity (acre-feet): 14.9

Maximum water depth (ft): 20

Additional comments

The Overflow Pond resulted from water being captured behind and on top of an old landfill placed in the canyon. During the early 1970's the outlet pipe was installed to channel water away from the pond to the base of the landfill. The informal construction of the dam holding the pond resulted in a water body of irregular shape and dimensions. For example, while the height of the "dam" is 62 feet, the depth of the pond is only about 20 feet due to the pond being built on the landfill. In general, the Overflow Pond is contained within narrow canyon walls trending roughly north-south along its long axes. The pond shallows at both the north and south ends with the deepest point at about its mid point.

7. e. Outlet pipe

Diameter of outlet pipe (inches): 36

Length of outlet pipe (feet): 770

FALL (Vertical distance between entrance and exit of outlet pipe in feet): 62

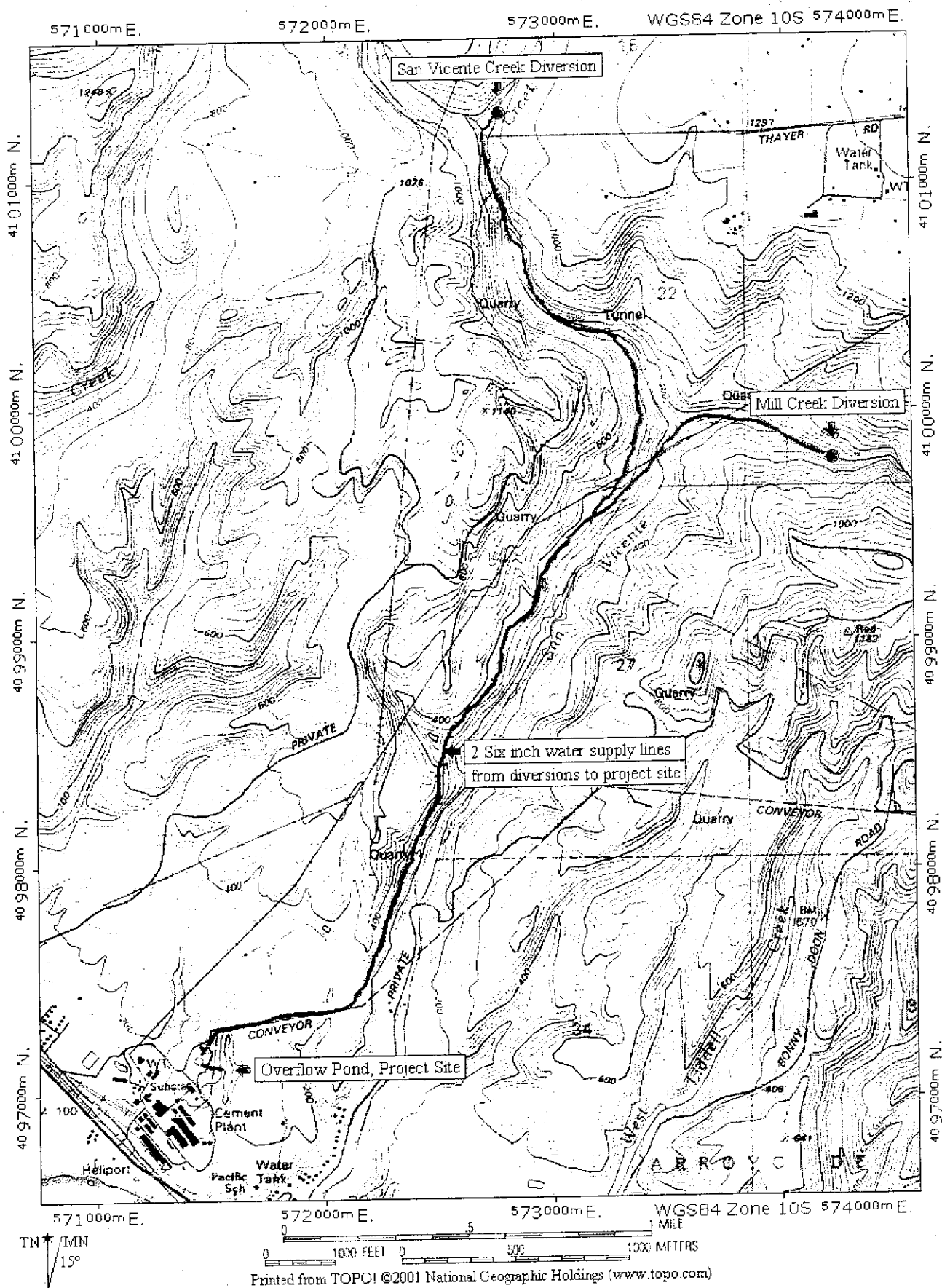
HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet): 28 Estimated storage below outlet pipe entrance (dead storage): 14.9 acre-feet

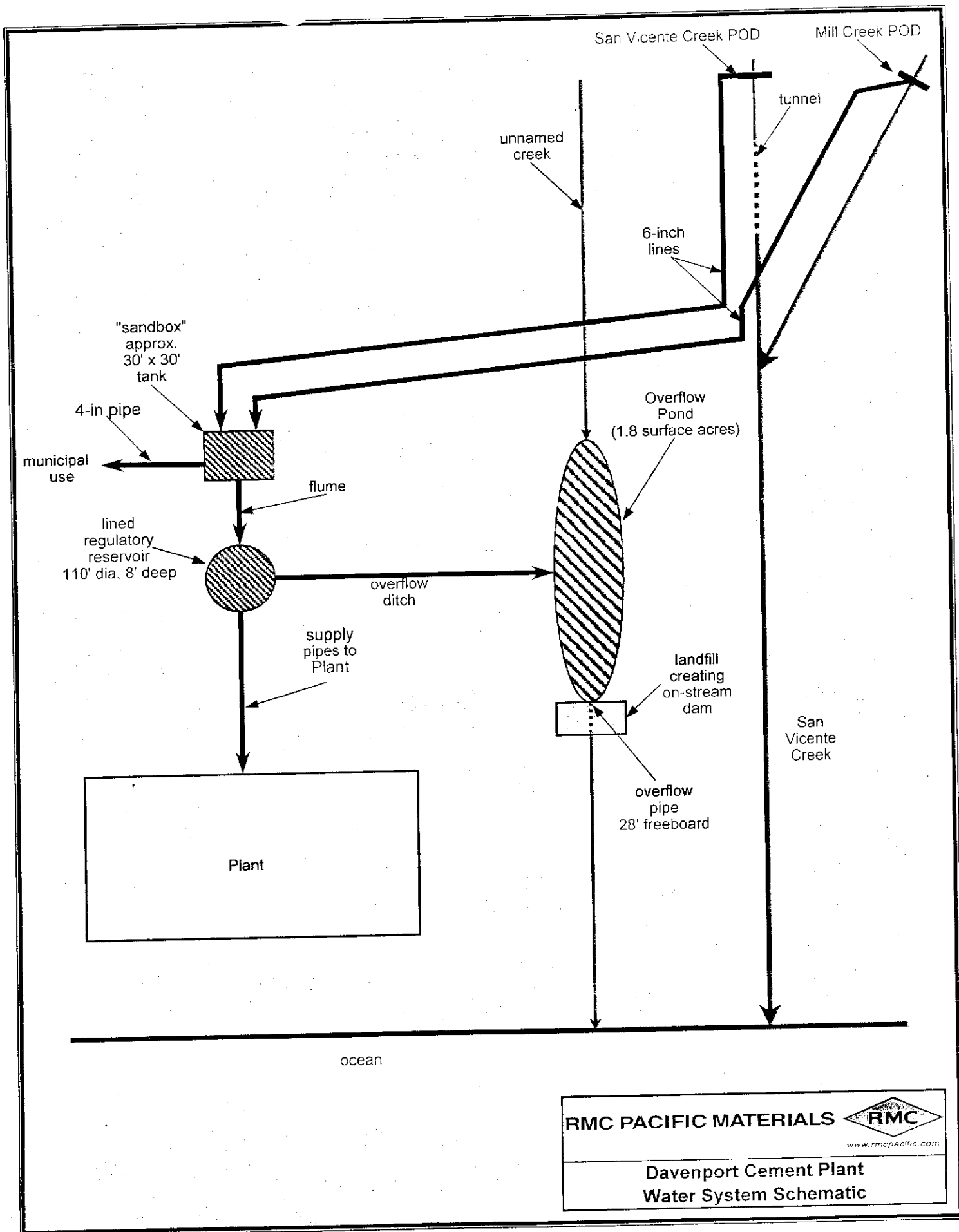
Additional comments

Because of the construction history of the dam, discussed in comments to section 7. d., both the length and fall of the outlet pipe are substantially more than expected for a pond of this size. The outlet pipe was placed to travel the entire long dimension of the landfill.

7. f.

The maximum rate of diversion to offstream storage will be 0.25 cfs. Diversion will be made by gravity. Note that this is a maximum diversion rate, the average rate is a fraction of this amount.





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DIVISION OF WATER RIGHTS
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**APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 31352

31408

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

Project is to maintain existing water supply to habitat for federally endangered California red-legged frog species resident in overflow pond and to sustain downstream Riparian communities. No new construction is contemplated. Some repair to existing structures may be required.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted N/A Date of contact _____
Department _____ Telephone () _____
- b. Assessor's Parcel No. _____
- c. County Zoning Designation _____
- d. Are any county permits required for your project? _____
If yes, check appropriate space below:
_____ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____

- e. Have you obtained any of the required permits described above? N/A
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? No (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type _____
Person (s) contacted _____ Agency _____
Date of contact _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your project?
No

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____
-
-
-

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? No
Person contacted _____ Date of contact _____
What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No

Do you know of any archeological or historic sites located within the general project area?
No If so, explain: _____

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion
 - Along the stream channel immediately upstream from the proposed point(s) of diversion
 - At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture

Aquatic Communities

Riverine
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

N/A

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

None known

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

California red-legged frog (Rana Aurora Draytonii): Loss of water to this pond
would adversely affect this known RLF breeding habitat.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain: _____

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date _____ Signature _____



San Vicente Creek, Looking up-stream from Diversion



San Vicente Creek, Looking down-stream from Diversion



A31468

POD 213

Mill Creek, Looking up-stream from Diversion



Mill Creek, Looking down-stream from Diversion



A3146Y
POD 1,243

Unnamed Creek, Looking up-stream from Overflow Pond



Unnamed Creek, Looking down-stream toward Overflow Pond